UNITED STATES DISTRICT COURT FOR THE DISTRICT OF MASSACHUSETTS

)	
THE ALPHAS COMPANY, INC.,)	
)	
Plaintiff,)	
)	
v.)	CIVIL ACTION
)	NO. 05-10851-DPW
AGRICULTURAL EXPRESS OF AMERICA, INC.)	
d/b/a CLIPPER CONTROLLED LOGISTICS,)	
)	
Defendant.)	
)	

DEFENDANT'S CERTIFICATION PURSUANT TO LOCAL RULE 16.1(D)(3)

The defendant, Clipper Exxpress Company, formerly known as Agricultural Express of America, Inc. d/b/a Clipper Controlled Logistics ("Clipper"), and its counsel hereby certify in accordance with the provisions of Local Rule 16.1(D)(3) as follows:

Defendant Clipper and its counsel have conferred:

- With a view to establishing a budget for the cost of conducting a full-course and (a) various alternative courses – of the litigation; and
- To consider the resolution of this litigation through the use of alternative dispute (b) resolution programs such as those outlined in Local Rule 16.4.

CLIPPER EXXPRESS COMPANY f/k/a AGRICULTURAL EXPRESS OF AMERICA, INC. d/b/a CLIPPER CONTROLLED LOGISTICS,

By: /s/ Shaun M. McCaffrey Shaun M. McCaffrey, Corporate Attorney

June 17, 2005

/s/ Wesley S. Chused

Wesley S. Chused, BBO # 083520 Attorney for Clipper Exxpress Company LOONEY & GROSSMAN LLP 101 Arch Street Boston, MA 02110 (617) 951-2800

June 22, 2005

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